

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT NEW YORK

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Andrii Pryimachenko, an individual,	:	
	:	Case No. 1:23-cv-10034-LAK-RWL
Plaintiff,	:	
	:	
- against -	:	
	:	
Home Box Office, Inc., a Delaware corporation;;	:	
Sky UK Limited, a United Kingdom limited:	:	
company; and DOES 1-10,	:	
	:	
Defendants.	x	

DECLARATION OF CARL MAZUREK
IN SUPPORT OF HBO'S MOTION TO DISMISS

1. I am a member of the law firm Davis Wright Tremaine LLP, attorneys for defendant Home Box Office, Inc. ("HBO"). I make this declaration in support of HBO's motion to dismiss the First Amended Complaint in this case for the sole purpose of attaching true and correct copies of documents that are incorporated by reference in, integral to, and/or relied upon by the First Amended Complaint, and/or of which the Court can take judicial notice.

2. Attached hereto as **Exhibit 1** is a DVD containing a true and correct copy of episode 101 of *Chernobyl*, which aired on HBO's television network and streaming platform on May 6, 2019, and contains the material that Plaintiff Andrii Pryimachenko ("Plaintiff") alleges infringed his copyright.

3. Attached hereto as **Exhibit 2** is a true and correct copy of the "YouTube Essentials" webpage, as captured by the Wayback Machine on March 11, 2013.¹

¹ The WayBack Machine is a digital archive that allows users to view websites as they appeared at various points in time in the past.

4. Attached hereto as **Exhibit 3** is a true and correct copy of the “Using YouTube Red benefits” webpage, as captured by the Wayback Machine on December 8, 2015.

5. Attached hereto as **Exhibit 4** is a true and correct copy of the YouTube Terms of Service, dated June 9, 2010, as captured by the Wayback Machine on April 7, 2013.

I declare under the penalty of perjury pursuant to 28 U.S.C. 1746 that the foregoing is true and correct.

EXECUTED this 6th day of March, 2024

/s/ Carl Mazurek
Carl Mazurek